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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

GERALD CAIN, II,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. C-04-364
	§	
TDCJ-CID DIRECTOR, ET AL.,	§	
	§	
Defendants.	§	

**ORDER DENYING MOTION TO POSTPONE PROCEEDINGS**

Plaintiff's motion to postpone proceedings (D.E. 51) is denied. This case was filed almost one year ago and further postponement would not serve the interests of justice. Persons with interests similar to plaintiff have the right to file their own lawsuit if harmed by the unconstitutional actions of defendants. Plaintiff's motion to re-open discovery is denied as moot. Plaintiff is permitted to conduct discovery on his outstanding claims against Captain Smith (food service claim) and the Director (unconstitutional celling).

ORDERED this 3rd day of June, 2005.



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B. Janice Ellington  
United States Magistrate Judge